

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

WARNER CHILCOTT COMPANY, LLC and	)	
HOFFMANN-LA ROCHE INC.,	)	
	)	
<i>Plaintiffs,</i>	)	C.A. No. 1: 08-cv-0627-LPS
v.	)	C.A. No. 1:11-cv-00081-LPS
TEVA PHARMACEUTICALS USA, INC.,	)	
	)	
<i>Defendant.</i>	)	
	)	
WARNER CHILCOTT COMPANY, LLC and	)	
HOFFMANN-LA ROCHE INC.,	)	
	)	
<i>Plaintiffs,</i>	)	C.A. No. 09-143-LPS
v.	)	(consolidated with C.A. No. 08-627-LPS)
APOTEX, INC. and APOTEX CORP.,	)	
	)	
<i>Defendants.</i>	)	
	)	
WARNER CHILCOTT COMPANY, LLC and	)	
HOFFMANN-LA ROCHE INC.,	)	
	)	
<i>Plaintiffs,</i>	)	C.A. No. 10-285-LPS
v.	)	(consolidated with C.A. No. 08-627-LPS)
MYLAN PHARMACEUTICALS, INC.,	)	
	)	
<i>Defendant.</i>	)	
	)	
THE PROCTER & GAMBLE COMPANY	)	
and HOFFMANN-LA ROCHE INC.,	)	
	)	
<i>Plaintiffs,</i>	)	C.A. No. 09-61-LPS
v.	)	(consolidated with C.A. No. 08-627-LPS)
SUN PHARMA GLOBAL FZE,	)	
	)	
<i>Defendant.</i>	)	
	)	

**REDACTED -**  
**PUBLIC VERSION**

**DECLARATION OF PETER L. GIUNTA  
IN SUPPORT OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT  
OF INVALIDITY UNDER 35 U.S.C. § 103 FOR OBVIOUSNESS**

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*Filed on Behalf of All Defendants*

June 22, 2012

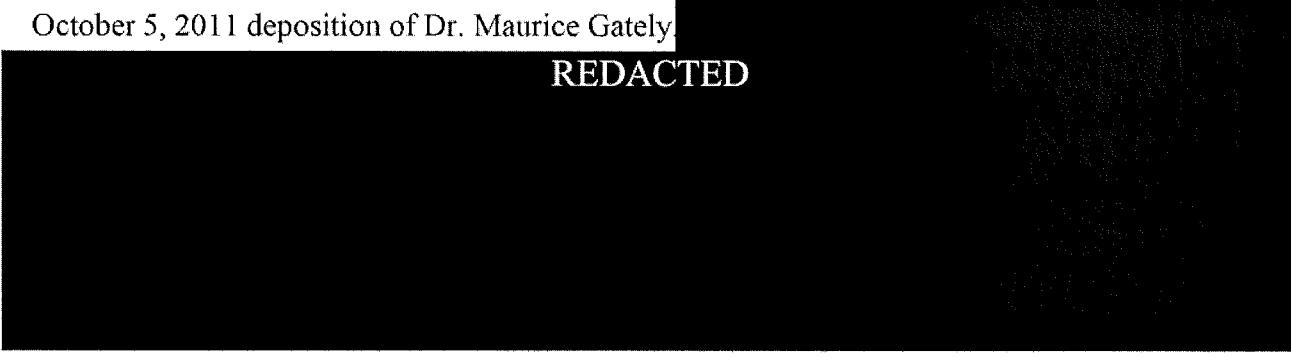
Redacted Version : June 29, 2012

I, Peter L. Giunta, am an attorney at law admitted to practice in the States of New York and New Jersey, and an Associate at Kenyon & Kenyon LLP, counsel for Teva Pharmaceuticals USA, Inc. in these consolidated cases. I make this certification in support of Defendants' Motion for Summary Judgment of Invalidity for Obviousness Under 35 U.S.C. § 103.

1. Attached as Exhibit 1 is a true and correct copy of excerpts from the transcript of the August 5, 2011 deposition of Dr. Frieder Bauss in *Hoffmann-La Roche Inc. v. Apotex, Inc.*, Civ. No. 07-4417 (SRC)(MAS) (D.N.J.) and related cases.

2. Attached as Exhibit 2 is a true and correct copy of defendants' exhibit 503 from the October 5, 2011 deposition of Dr. Maurice Gately

REDACTED



3. Attached as Exhibit 3 is a true and correct copy of defendants' exhibit 641 from the March 30-31, 2012 deposition of Dr. Anastasia G. Daifotis, U.S. Provisional Patent Application 60/370,501 (filed April 5, 2002).

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on this 22<sup>nd</sup> day of June 2012 in New York, NY.



Peter L. Giunta

**CERTIFICATE OF SERVICE**

I, Karen L. Pascale, Esquire, hereby certify that on June 29, 2012, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF (which will send notification that such filing is available for viewing and downloading to all registered counsel), and in addition caused true and correct copies of the foregoing document to be served upon the following counsel of record in the manner indicated:

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